



EPA Regulated Products and PFAS Including Pesticides

Presented to:

Chem Watch - PFAS Updates 2021 Conference

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June 23, 2021

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Overview

- Agency priorities
- Activities related to chemical regulation
- Complex scientific issues
- Current activities



Agency Priorities

- Memo issued in April 2021 by EPA Administrator Regan

https://www.epa.gov/sites/production/files/2021-04/documents/per-and-polyfluoroalkyl-substances-memo_signed.pdf

- Highlights

- National primary drinking water regulation
- Wastewater treatment for 29 PFAS
- EPA Council on PFAS (ECP)
- Build on 2019 EPA PFAS Action Plan

- General Info <https://www.epa.gov/pfas>



EPA Council on PFAS - Focus

- Develop multi-year strategy (2021-2025)
 - Initial recommendations within 100 days
- Coordination on regional and cross media issues to better assist state, local and tribal communities on PFAS issues
- Coordinate and maximize available funding for clean up activities
- Enhance engagement with partners to ensure consistent communications

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Activities Related to Chemical Regulation

- EPA addresses chemicals issues in its Office of Chemical Safety and Pollution Prevention (OCSPP)
 - Key statutes –
 - TSCA – Toxic Substances Control Act
 - FIFRA – Federal Insecticide, Fungicide, and Rodenticide Act
- Notable Activities
 - Pesticide container issues
<https://www.epa.gov/pesticides/pfas-packaging>
 - TRI Listing
 - Section 21 Petition – Cape Fear River
<https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/support-documents-pfas-testing-section-21-petition>
 - TSCA Section 8 Rule



Pesticide Container Issue

- General information is publicly available

<https://www.epa.gov/pesticides/pfas-packaging>

- Pesticide program laboratory developed analytical methods and is conducting testing

- 8 PFAS identified so far on website

- NGO Citations

<https://www.peer.org/?s=pfas>

https://www.eenews.net/assets/2021/03/26/document_qw_01.pdf

- Evaluating for industrial chemicals as well



Section 21 Petition

- Multiple organizations submitted petition in October 2020 focused on levels in the Cape Fear river in North Carolina

https://www.epa.gov/sites/production/files/2020-10/documents/chemours_pfas_testing_petition_final.pdf

- Identified 54 PFAS chemicals
 - Asked EPA to require testing
- EPA denied petition because the facts necessary to determine for each of the 54 PFAS provided in the petition were insufficient to justify testing



Toxic Release Inventory (TRI)

- Background information on TRI is available
<https://www.epa.gov/toxics-release-inventory-tri-program>
- Additional chemicals being screened for possible future addition
 - Chemicals are usually listed because they have acute or chronic human health effects or can cause adverse environmental effects
- 172 PFAS added based on NDAA for FY2020
<https://www.epa.gov/toxics-release-inventory-tri-program/list-pfas-added-tri-ndaa>
 - NDAA allows for additions without toxicity criteria step



Section 8 Proposed Rule

- Will require manufacturers and importers to report information for many PFAS
 - Uses, production volumes, disposal, worker exposures and effects
- Will enhance EPA's ability to characterize PFAS use and manufacturing
- Will help focus EPA's PFAS research, monitoring and regulatory efforts
- TSCA Section 8(a)(7) added via NDAA



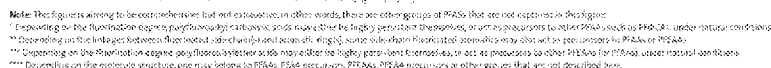
Complex Scientific Issue

- Definition of PFAS is unsettled with multiple approaches, the OCSPP working definition is:

"a structure that contains the unit $R-CF_2-CF(R')(R'')$, where R, R', and R'' do not equal "H" and the carbon-carbon bond is saturated (note: branching, heteroatoms, and cyclic structures are included)"

<https://www.epa.gov/pesticides/pfas-packaging>

- Definition impacts the universe of chemicals for consideration
- Level of supporting data ranges from minimal to more heavily studied
- Exposure is related to a large number and varied conditions of use/scenarios
- Varied hazard profiles are anticipated





Current Activities

- OCSPP is coordinating with the EPA and external organizations as appropriate
- Laboratory efforts on container issues
- Involved in scoping and data gathering activities
 - Identify chemicals of interest across activities
 - Group by chemical category
 - Identify available data for each
- Testing strategy development
- EPA Council on PFAS



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